SUMMARY OF RECOMMENDATIONS REGARDING HOW TO IMPROVE THE PUBLIC HEALTH AND SCHOOL SYSTEMS' RESPONSES TO SCHOOL IAQ PROBLEMS

The State Board of Health received recommendations that have an effect on school indoor air quality from:

- Attorney General of Washington, in "Administrative Recommendations: Investigation of School Construction and Electrical Licensing Activities (Eastern Washington and Clark County)," Sept 25, 1996 memorandum (AG memo)
- The Healthy Schools Task Force, in the "Healthy Schools Task Force Final Report and Recommendations, " September 2002 (HSTF)
- Parents, teachers, and students, in testimony received by the State Board of Health during and before it's March 13, 2002 meeting. (Public Testimony)
- Local health department (LHD) and school district (SD) staff interviewed by Board staff, September and October 2002.
- The Environmental Law Institute, in its "Healthier Schools: A Review of State Policies for Improving Indoor Air Quality," January 2002 (ELI)

Board staff summarized these recommendations and grouped them using categories adapted from the ELI report. The recommendations are in bold lettering, with the recommendation source in parenthesis. A brief explanation of the recommendation often follows.

1. <u>Law, regulation, standards and guideline recommendations</u>:

1.1 Require that school districts hire an experienced owner's project representative (OPR) to remain on-site during construction and capital improvement projects, and for 3-6 months after construction is finished (AG memo).

A qualified, experienced and knowledgeable OPR can represent the school district's interests and ensure that the contractor and sub-contractors complete their work to code. This includes providing documents at the end of the project, such as operations and maintenance manuals. (AG memo, p. 4-5) The OPR can work with the local health department during the site and plan reviews and pre-occupancy inspections to ensure the school is located and built to provide the safest and healthiest learning environment.

1.2 Create a demonstration project to test, evaluate, and revise best school environmental health and safety practices in preparation for implementing them statewide. (HSTF recommendation #3)

Everett School District's Indoor Air Quality Program could serve as a demonstration project. It has established protocols for responding to and documenting indoor air quality complaints. It also has established performance criteria for school facilities that are more specific than current primary and secondary school regulations (chapter 246-366 WAC).

Establishing performance standards was recommended by one of the school district staff surveyed by Board staff. These standards could be used to negate or substantiate IAQ complaints, and help determine if IAQ issues are resolved.

1.3 Change the state's low bid law to mandate building commissioning instead (school district staff).

Building commissioning is a process for assuring that buildings and their systems are planned, designed, installed, tested, and capable of being operated and maintained as the design intended. The school district staff attributes most maintenance problems in new buildings to low bid requirements.

Public testimony also recommended setting building standards to ensure buildings are healthy and safe, and not awarding school construction contracts to the lowest bidder. Public testimony also recommended the review and evaluation of architectural plans before they are put out to bid.

1.4 Use creative approaches to state policy that build and expand on current efforts to address indoor air quality in schools (ELI).

Indoor air quality issues are intricately linked with energy systems, environmentally safe building materials, and other resource conservation goals. A "Collaborative for High Performance Schools" initiative in California is developing information, technical assistance and training on school construction that promotes indoor and outdoor air quality. High performance schools are also referenced in the "No Child Left Behind Act of 2001."

1.5 Strengthen, implement and enforce RCWs and WACs that pertain to school environmental health (Public Testimony)

This includes identification and communication of criteria used to determine school closures and remediation actions. It also includes identification, communication and improvement of the "chain of responsibility" within and among agencies, to ensure that responses to school IAQ complaints are timely and protective of health. Community oversight is also recommended to monitor agency responses and ensure accountability. (Public Testimony)

2. <u>Funding recommendations:</u>

2.1 Establish a funding mechanism for local health departments to provide the required school plan and site reviews, and pre-occupancy and periodic school inspections (local health department staff).

Chapter 246-366 WAC requires local health departments to provide these services. Local boards of health have the authority to establish fees for these services, but do not always do so. As environmental health programs become increasingly fee and grant supported, it is a challenge for the programs to provide these services.

2.2 State school construction funding programs represent an important opportunity to create healthy schools by incorporating key IAQ design and construction features (ELI).

ELI recommends mechanisms and resources for state oversight. This may include using funding mechanisms to encourage schools to use the DOH IAQ Best Practices Manual, the OSPI & DOH Health and Safety Guide for K-12 Schools in Washington, EPA Tools for Schools, and "high performance school" building practices. (Public Testimony)

2.3 Prioritize school health and safety in agency work plans and budgets (Public Testimony).

This includes hiring more IAQ personnel at local and state health departments and OSPI, allocating state emergency funds to testing and remediation at schools that need immediate attention, and funding programs such as Rengrant. It also includes funding school IAQ assessments and implementation of recommendations arising from the assessments. (Public Testimony)

3. <u>Information, training, and capacity building recommendations</u>:

3.1 Create a database at OSPI of standardized critiques by school districts of architects and contractors following any major capital improvement or construction project (AG memo).

RCW 43.19.1911 mandates that public works contracts "shall be let to the lowest responsible bidder." The AG's investigation found that school districts were extremely reluctant to award any contract to someone other than the lowest bidder, due to threat of litigation. A database of critiques could be used to create a system where architects and contractors could be pre-qualified to bid on school construction projects. Or the critiques could provide information for school districts to evaluate in considering the bids they receive, and would supply justification for a decision by the school district to reject a low bidder as not being "responsible." (AG memo, p.3-4)

3.2 Providing training and technical assistance to local health department staff for improved site and plan review and inspection capability (LHD staff).

Plans for new large schools, and junior and high schools, are more difficult to review – smaller LHDs don't often review these types of plans, and need more training to do so effectively. (LHD staff)

ELI and public testimony also recommend increasing local capacity in responding to school IAQ issues.

3.3 Have a team of experts at the state level who can assist school district administrations (SD staff)

Train teachers and maintenance staff in monitoring and improving their school's IAQ, along the lines of EPA's Tools for Schools (LHD staff).

ELI and public testimony also recommend increasing local capacity in responding to school IAQ issues.

Public testimony also recommended using professional independent investigators to do testing and remediation, with community oversight.

3.4 Create a clearinghouse that includes contact information for agencies involved in school environmental health, school facility renovation and construction information, and problems and solutions different schools have experienced, to learn from each other (SD staff).

"Our lack of knowledge regarding how to proceed and how to determine success was frustrating. We had infinite ideas, but weren't sure which were right" (SD staff).

The clearinghouse could host an online bulletin board specifically designed to share IAQ information and issues between school districts. This could include government and private sources of information, and provide IAQ response criteria and best practices models, to improve responses (SD staff).

This clearinghouse would also provide the public with a central place for information regarding whom they should call with school IAQ concerns (LHD staff).

3.5 Create a statewide database of school IAQ health complaints and medical records (Public Testimony).

This includes developing standardized health surveys to be used in schools with IAQ complaints to identify how many children and teachers are affected, with community oversight (Public Testimony).

A statewide database similar to the one recommended might be created by DOH, in collaboration with OSPI. DOH applied for a Washington Environmental Public Health Tracking Network grant, which intends to:

- Develop school–based environmental illness surveillance, in collaboration with OSPI
- Develop school-based environmental inspection and monitoring, with OSPI
- Establish linkages between ambient environmental monitoring data and school illness.

This grant may study the health effects of exposure to toxic mold, another recommendation received in public testimony.

3.6 Educate and train local health officers and education districts' Independent Medical Examiners to recognize health symptoms associated with IAQ problems and sick building syndrome (Public Testimony).

4. <u>Coordination and communication</u>:

4.1 SPI should establish a single entity responsible for monitoring architects' compliance with school construction plan revisions and to serve as a clearinghouse for all agencies involved in inspecting school facilities (AG memo).

The AG's report found that there was a lack of communication and coordination of the different agencies' inspections. A clearinghouse could inform all inspection agencies of all inspection problems, and ensure that the problems are corrected according to specifications and codes. (AG memo, p.12) This would assist the local health departments obtain more complete and accurate information for plan reviews and pre-occupancy inspections.

ELI also recommends the coordination of different state agencies involved in school IAQ issues.

4.2 Implement a statewide work plan that addresses key issues (HSTF recommendation #1)

This HSTF recommendation proposes a work plan that would coordinate addressing key issues of school health assessment; collaborative training and education; funding and resources; communication with agencies, organizations, and the public; maintenance issues; use of site and construction guidelines; evaluation of current practices, regulations and policies; and accountability for implementing the work plan.

4.3 Establish an ongoing advisory board to advise and monitor state and local activities. (HSTF recommendation #4)

An advisory board of government and non-governmental organizations could serve as a forum for improved agency and organization coordination, collaboration and communication. It could also be a communication conduit between agencies, organizations, policy makers and the public.

4.4 Discuss and identify the type of environmental health infrastructure we want in the schools and identify the role of each of the agencies and communities in making it happen (LHD staff).

Federal, state, and local agencies need to work together better. Relationships between LHDs and school districts vary greatly. Some school district staff view LHDs as regulators, not partners, so they call other agencies first. All agencies need to work collaboratively, share resources and information, in order to solve school IAQ problems. LHDs and school districts need improve communication with each other, and with people concerned about school IAQ issues. They need to involve the community from the beginning, and have viable school IAQ committees with teachers and community representatives (LHD staff).

Include the input of people who deal with the school IAQ issues on a regular basis in any efforts, such as legislation (SD staff).

Public testimony also recommended improving interagency communication.

4.5 Collaborate broadly and continuously in order to spur innovation and maximize access to wisdom and experience. (HSTF recommendation #5)

Implement a systematic means of seeking input from and participation of school personnel, community members, parents, non-governmental organizations and government agencies. (HSTF report, p.8)

4.6 Support the establishment of OSPI's School Environmental Health Initiative (HSTF recommendation #6)

The HSTF supported OSPI's leadership in efforts to improve school environmental health and OSPI's collaboration with DOH. The HSTF emphasized the need for an advisory board, as referred to in HSTF recommendation #4, as a mechanism for accountability.

4.7 School districts should develop and implement communication plans (SD staff).

A trusted authority is needed to communicate the SD's plans and responses to IAQ problems. An outside authority may be needed, if there is no local authority that is trusted. Use a credible source of information to help communicate with the community and educate staff. Don't ignore IAQ problems – take action immediately and communicate your actions to everyone. Let people know you're using all the resources available. (SD staff)

Public testimony also recommended developing a risk communication plan and improving schools' communication with the public, teachers, students, and parents.